

A.D. 10.8, Religious Services

Prepared for Signature 12/03/02 - Effective 12/27/02

1. Policy. The practice of religion by inmates in accordance with the provisions of this Directive shall be consistent with the compelling correctional interest of preventing inmate conduct, which threatens security, safety and order.
2. Authority and References.
 - A. Connecticut General Statutes, Sections 18-81 and 52-571b.
 - B. American Correctional Association, Standards for Adult Correctional Institutions, Third Edition, January 1990, Standards 4-4300, 3-4454 through 3-4463.
 - C. American Correctional Association, Standards for Adult Local Detention Facilities, Third Edition, January 1990, Standards 3-ALDF-4C-07, 3-ALDF-5F-01 through 3-ALDF-5F-10.
 - D. American Correctional Chaplain Association Code of Ethics.
 - E. Administrative Directives 6.10, Inmate Property and 10.7, Inmate Communications.
3. Definitions. For the purposes stated herein, the following definitions apply:
 - A. Associate Chaplain. A Chaplain with supervisory responsibilities over other Chaplains of a lower grade, as designated by the Director of Religious Services.
 - B. Chaplain. A minister, priest, imam, rabbi, or other leader of a religious denomination who is authorized by the Department of Correction to perform religious functions for inmates.
 - C. Collective Religious Activity. Religious activity which involves two (2) or more persons and which generally, but not necessarily requires the commitment of specifically designated Department of Correction facilities or staff for its operation.
 - D. Common Fare. A diet which meets all nutritional requirements without the presence of food items forbidden by religious dogma.
 - E. Director of Religious Services. The Chaplain responsible for the facilitation and oversight of religious programming within the Department.
 - F. Disqualifying Custody Conditions. A classification determination whereby it has been determined, among other things, that an inmate's participation in collective religious activity would be detrimental to institutional or community security, safety or order.
 - G. Individual Religious Activity. Religious practice(s) which are engaged in by inmates acting individually and not involving other inmates, staff or specially designated facilities.
 - H. Lead Chaplain. An Associate Chaplain with supervisory responsibilities over other Chaplains of a lower grade, in one or more institutions, as designated by the Director of Religious Services.
 - I. Religious Articles. Articles which symbolize religious principles or which are used in religious practices.
 - J. Religious Volunteer. A Department of Correction approved civilian, or an employee donating personal time, who assists and/or conducts individual or collective religious activity.

4. Factors to Consider in Determinations to be Made Under this Directive.
Any determination to be made related to this Directive shall be based upon the following factors:

- A. Does the determination further the compelling Department of Correction interests in maintaining security, order or safety either within a correction facility or the community.
- B. Does the determination follow the least restrictive means of furthering this compelling interest(s).

5. Provisions Applicable to all Inmates Regardless of Custody Status.

- A. No inmate shall be required to profess a religious belief or to belong to a religious denomination.
- B. An inmate shall be allowed to possess and/or use religious articles which have been approved in accordance with Administrative Directive 6.10, Inmate Property. These religious articles shall not be displayed and shall be worn or carried under the clothing.
- C. Subject to the provisions of Section 4, an inmate may be allowed to engage in individual religious practices.
- D. All Chaplains shall serve the spiritual and pastoral needs of all inmates. They shall exercise their ministry without influencing individuals to change their religious preference or faith. They shall conduct their ministry without communicating derogatory attitudes toward other faiths. They are responsible for ministry to inmates regardless of religious beliefs or affiliation.
- E. An inmate may claim only one religion but shall be allowed to change religions every 30 days. When requesting a change in religious affiliation the inmate shall submit a written notification using Request for Designation of Religion, CN 100801, to the Institutional Religious Facilitator. If more than 30 days has elapsed since the inmate's previous designation, then the coordinator or designee shall confirm the change and return a copy of the completed form to the inmate. A copy of the completed form shall also be placed in the inmate's master file. A change of religious designation shall not become effective until the inmate receives a copy of the completed form. New and transferred inmates shall be placed on collective religious activity lists as soon as possible following the facility orientation process. The orientation counselor shall provide the institutional Religious Coordinator with a copy of the current Request for Designation of Religion form, CN 100801, of each inmate present at orientation with the original to be maintained in Section 6 of the master file. All other requests for changes in one's religious designation will take effect on the last Monday of the month. There must be a current form CN 100801, Request for Designation of Religion, on file for each inmate, even if an inmate does not choose a religion that has collective religious activity, chooses no religion or refuses to sign the form. If an inmate refuses to sign form CN 100801, Request for Designation of Religion, the staff person will note that fact on the form. The staff person will sign, date the form, process it and distribute appropriate copies.
- F. Common Fare will be offered to the general population as an

alternative to the Main Cycle entrée offered under a 28-day menu. There are no restrictions as to who is allowed to participate in this special diet. The Common Fare menu will meet all of the dietary requirements. Permission to be on this common fare diet shall be given by each Unit Administrator or Designee. Inmates approved for Common Fare must remain on that list for a minimum of 30 days. Inmates requesting to be removed from Common Fare may not re-apply for Common Fare for six months.

- G. An inmate's religious practice may be considered in determining program assignments if they interfere with such work assignments.
- H. Inmates requesting to purchase religious articles not available through the Commissary shall receive prior written permission of the Deputy Commissioner of Programs and Staff Development or Designee. Items ordered without permission will be considered unauthorized and may be deemed contraband.
- I. Written religious material, i.e., Bible, Quran, Concordance, Religious Newspaper, etc., may be purchased from the Commissary or from an outside vendor in accordance with the provisions of Administrative Directive 10.7, Inmate Communications. A staff Chaplain may distribute appropriate donated written religious material, Bible, Quran, etc., if available. This material must be in new condition only in accordance with Administrative Directive 10.7, Inmate Communications.
- J. All community involvement in inmate religious activities must be approved by the Director of Religious Services.
- K. Unless part of an official function, in accordance with this Directive, Department of Correction employees shall not serve as inmate religious volunteers or participate in an inmate religious activity without the written approval of the Deputy Commissioner of Programs and Staff Development. No employee shall be authorized to be a religious volunteer if such approval might disrupt the safe, secure or orderly operation of the facility or is in conflict with the employee's duties.

6. Provisions Applicable to Inmates with no Disqualifying Custody Conditions.

- A. To the extent that institutional space, staff and resources permit, but at least once a week, opportunities for collective religious activities shall be made available on an equitable basis to the various religious denominations to which inmates designate membership. An inmate may only participate in collective religious activity for the religion in which the inmate is registered. Based upon present inmate designations, those denominations are: Catholic, Protestant, Jewish, Muslim, Native American, and Jehovah's Witness. Additional denominations may be added by the Commissioner or Designee if warranted by inmate interest and if consistent with institutional security and resources.
- B. All collective religious activity shall be conducted and supervised by a Department authorized Chaplain or religious volunteer who professes the same religion as the group gathering together. An inmate may not conduct a collective religious activity under any circumstances.
- C. The facility Unit Administrator shall assign facility security staff as appropriate.

- D. An inmate may assist a Department authorized Chaplain or religious volunteer who is conducting a collective religious activity. An inmate can never be authorized to serve as a Chaplain or religious leader. An inmate can never exercise any authority over any other inmate.
 - E. When it is considered necessary for the security and order of the institution, the facility Unit Administrator may limit or prohibit attendance at, discontinue, or not approve a religious activity, provided that any such limitation, prohibition, discontinuation or disapproval is in furtherance of a compelling governmental interest and is the least restrictive means of furthering that compelling governmental interest.
7. Director of Religious Services. The Director of Religious Services shall:
- A. Supervise administration of this Directive within the Department.
 - B. Oversee the appointment of Institutional Religious Facilitators and salaried, contracted or authorized volunteer chaplains.
 - C. Serve as a resource person for all matters pertaining to religion.
 - D. Conduct religious programs and services as appropriate.
 - E. Recommend to the Commissioner or designee each current religious service or program for re-approval or denial.
 - F. Recommend to the Commissioner or designee each new request for current religious service or program for approval or denial.
 - G. Establish, in consultation with the Commissioner or designee, job duties and assignments for the positions of Director of Religious Services, Associate Chaplain, Lead Chaplain, Institutional Religious Facilitator and Chaplain. Ensure compliance with such duties and assignments.
8. Lead Chaplain. Each Lead Chaplain shall:
- A. Serve as the liaison between the Director of Religious Services and the Lead Warden.
 - B. Provide supervision for all Chaplains who are not under the supervision of an Associate Chaplain as defined in Section 9 below.
 - C. Serve as a religious resource to the Lead Warden.
 - D. Perform other duties as needed by the Religious Services Unit.
9. Associate Chaplain. An Associate Chaplain, who is not a Lead Chaplain, shall:
- A. Provide supervision for all Chaplains in a lower grade in the institution.
 - B. Serve as a religious resource to the Lead Chaplain.
 - C. Perform other duties as needed by the Religious Services Unit.
10. Chaplains. A chaplain, when engaged, shall provide or make arrangements for the services of religious faiths and shall serve the spiritual and pastoral needs of inmates of the religious faiths. Any chaplain may be assigned by the Director of Religious Services, in consultation with the facility Unit Administrator, as an Institutional Religious Facilitator who shall notify the appropriate Associate Chaplain or Director of Religious Services of any non-compliance with this Directive, propose

new religious services and/or religious programs to the Director of Religious Services, facilitate all collective religious activities, provide for the exchange of information through the chain of command to other staff chaplains, contract chaplains and other staff as necessary, supervise religious services and/or programs conducted by approved religious volunteers and provide for spiritual guidance to staff and inmates and their families. Chaplains shall perform related duties as required.

11. Restrictive Housing Religious Visits. Chaplains shall make tours in restrictive housing units once a week and shall schedule individual pastoral visits to inmates with disqualifying custody conditions who make requests for religious services on a frequency to be determined by the chaplain. Chaplains shall reasonably accommodate inmate requests within a professionally acceptable period of time. A chaplain may notify the Lead Chaplain or Director of Religious Services, if necessary, to request the assistance of additional chaplains or approved volunteers to accommodate such requests.
12. Suspension, Modification, Termination of Religious Practice. The practices provided for by this Directive may be suspended, modified or terminated by the Unit Administrator or designee for an individual inmate(s), or for an entire correction institution as any portion thereof when necessary to accommodate the factors stated in Section 4. Any such action shall be reported to the Commissioner or designee for review and approval within three (3) business days.
13. Denial of Religious Practice. No religious practice shall be permitted if the Commissioner or designee shall determine that such practice is contrary to the factors stated in Section 4.
14. Smudging. The Native American Smudging Policy, Attachment A, of this Directive shall be followed.
15. Exceptions. Any exception to the procedures in this Administrative Directive shall require prior written approval from the Commissioner.



Request for Designation of Religion

Connecticut Department of Correction

CN 100801
REV 1/28/03

Inmate name

Inmate no.

Facility

Housing unit

In accordance with Administrative Directive 10.8, Religious Services, you are allowed to participate in collective religious activity with only one religion at a time. You may change your religious designation once per month by submitting this request. You will not be authorized to participate in collective religious activities with the newly requested religion until you have received a signed confirmation notice (attached below) from the Institutional Religious Facilitator or designee.

1. I _____ choose the following religion for collective religious activity.

Choose only one

Protestant (Christian) ☐ Catholic (Christian) ☐ Islamic ☐

Jewish ☐ Native American ☐ Jehovah's Witness ☐

OR

2. I choose the following religion, understanding that there is no collective religious activity for this faith group: _____.
(Specify)

OR

3. I do not wish to choose any religion at this time ☐

Is this request a change of religion? YES ☐ NO ☐

DO NOT WRITE BELOW THIS LINE — FOR OFFICE USE ONLY

CONFIRMATION NOTICE FOR CHOICE OF RELIGION

Has it been 30 or more days since the last request? YES ☐ NO ☐

Is this request authorized? YES ☐ NO ☐

If not authorized, explain why:

Institutional Religious Facilitator/Designee
Signature/Position

Date

cc: Inmate
Inmate Master File
Institutional Religious Facilitator File



Native American Smudging Policy

Connecticut Department of Correction

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Native American Smudging Policy

- Collective Smudging shall be permitted, but not required, whenever Department of Correction Native American Elders or approved Native American religious volunteers conduct regularly scheduled Native American services, and/or during special Native American celebrations, i.e., Green Corn Festival, Strawberry Festival, etc. All Native American practitioners present at such collective religious activity shall be permitted to smudge.
- Native American practitioners participating the Individual Smudging Program shall be allowed to smudge once a day, if they request it, on an individual basis in all facilities. They must comply with the procedures given below. See "M" below for the one exception to daily, individual smudging.

The procedures for individual smudging are as follows:

- A. The Institutional Religious Facilitator shall have responsibility for the Individual Smudging Program and the control and distribution of all smudging materials as outlined below. In fulfilling this responsibility, the Institutional Religious Facilitator will work closely with the Native American Chaplain, if one is assigned to that Facility, or with the Native American Elder who is the primary resource person for Native American spirituality for the Department of Correction.
- B. Each inmate who desires to participate in the individual smudging program must complete a Request for Designation of Religion Form, CN 100801, which designates him as a Native American practitioner.
- C. Each participating inmate will also be required to sign a Memorandum of Understanding and Use Agreement for Individual Smudging, acknowledging the individual smudging policy and procedures. A completed copy of this document is to be given to the inmate and also placed in his Master File, see form CN 100801.
- D. Each inmate must have his own smudging materials including a shell, available from the Commissary, in which to burn items. The institution, through the supervising staff person, will supply matches or a cigarette lighter each time an inmate smudges.
- E. An inmate cannot give, lend, or share any smudging materials or items with another inmate.
- F. All smudging materials and items must be purchased directly by the inmate from the commissary ONLY. All purchase requests will be made through the Institutional Religious Facilitator who will forward the request for smudging supplies directly to the Commissary after determining the eligibility of the inmate requestor. A reasonable amount of smudging material is allowed. There will be no stockpiling of smudging supplies. Any smudging supplies received apart from the Commissary will be rejected.
- G. The institution will provide a one-ounce fluid medicine measuring cup for each inmate. This will be stored with his smudging material. An inmate will be allowed up to one-half ounce (by volume) of smudging material as indicated by the measuring lines on the cup. The Native American Chaplain may also refill the Smudging materials.
- H. After being processed by the Institutional Religious Facilitator, each inmate's materials will be securely stored by a person designated by the Unit Manager or similar Administrator, who will maintain each inmate's supplies.
- I. Each Unit Manager or other designated Administrator will determine the time and place for individual smudging, the amount of time available, the supervision required, and address any other issues, especially those pertaining to safety and security.
- J. There will be no unsupervised smudging. The counselor shall note in the inmate's central file that he is participating in this program.
- K. Each inmate will be allowed to smudge once per day, upon request. The inmate is to request smudging time from his Unit Manager or other designated Administrator. The actual time when the inmate is permitted to smudge will be determined by the Unit Manager or other Administrator based on available staff, resources, and any other safety and security issues that may occur. An inmate will be allowed up to 20 minutes to smudge, circumstances permitting.
- L. Inmates must be separated and smudge alone, to avoid violation of Administrative Directive 10.8, Religious Services, Section 6(B).



Native American Smudging Policy

Connecticut Department of Correction

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- M. Collective smudging is normally part of the regularly scheduled Native American Services. On the days when Native American Services are held, Native American practitioners will smudge only during the collective religious activity. If the services are cancelled, individual smudging will be allowed as provided for above.
- N. Each inmate will be requested by staff to empty the contents of his medicine bag for visual inspection both before and after smudging. An inmate cannot refuse this inspection. Refusal warrants a disciplinary report for disobeying a direct order. Staff is not to touch the medicine bag or its contents unless there is contraband present. In that case, it becomes a safety and security issue and appropriate action is to be taken.
- O. Inmates will be searched upon returning into the building, to guarantee all consumable smudging materials have been consumed outside.
- P. Failure to follow the procedures as outlined above may result in removal from the Individual Smudging Program for at least six (6) months. An incident report is to be written. The Unit Administrator writes the letter removing the inmate from the program.
- Q. If an inmate is removed from the Individual Smudging Program, all his smudging materials, including shell and feather, will be disposed of in accordance with Administrative Directive 6.10, Inmate Property.
- R. An inmate who has been removed from the Individual Smudging Program must request to be re-instated at the end of his suspension.
- S. The Memorandum of Understanding and Use Agreement for Individual Smudging expires when an inmate transfers. If an inmate is transferred, he must sign up again for the Individual Smudging Program with the Institutional Religious Facilitator in his new institution.
- T. If a Native American Practitioner in the Individual Smudging Program changes his religion, all his smudging materials, including shell and feather, will be disposed of in accordance with Administrative Directive 6.10, Inmate Property.
- U. All provisions of the Religious Services Directive remain in effect.



Memorandum of Understanding and Use Agreement for Individual Smudging Connecticut Department of Correction

CN 100802
REV 12/3/02

Inmate Name

Inmate no.

Facility

Housing unit

As a participant in the Individual Smudging Program at _____, I acknowledge that I understand the following:

1. I cannot give, lend, or share any smudging materials or items with any other inmate. Any transfer of smudging materials in any way to another inmate is a violation of the smudging policy.
2. I must purchase all smudging materials and items myself from the Commissary, through the Institutional Religious Facilitator. All items not received this way will be rejected.
3. All flammable individual smudging materials must be totally consumed outside during "Smudge Time". Any attempt to bring any flammable materials back into the building is forbidden and will result in disciplinary action.
4. All provisions of the Religious Services Unit Directive remain in effect.
5. A feather for smudging one's self may be a substitute prayer format for inmates who are ineligible or unable to smudge in the traditional manner. This can be done in the cell.
6. I understand that if I wish to smudge on weekends or holidays when the usual support staff is not working, I must advise the housing unit Correction Officer as early as possible so he/she can contact the Lieutenant.
7. I understand that all smudging on the days when collective Native American Services are being held shall be during that service only. If Native American Services are canceled, individual smudging will be allowed per this individual smudging agreement.
8. When smudging, I am allowed to measure out up to one-half ounce (by volume) of smudging material as indicated by the measuring line on the measuring cup that the institution has provided and which is stored with my smudging supplies.
9. Any violation of any part of this agreement may result in removal from the Individual Smudging Program for at least six months. If I am removed from the Individual Smudging Program, or change my religion, all my smudging supplies, including shell and feather, will be disposed of according to the provisions of Administrative Directive 6.10, Inmate Property.
10. This agreement expires when I am transferred. By my signature, I acknowledge that I understand all of the above, that it has been verbally explained to me by the staff person who has also signed it, and I have no unanswered questions.

Inmate Signature

Date

Religious Coordinator

Date

cc: Religious Services file
Inmate Master file
Inmate